

Remarks

The above Amendments and these Remarks are in reply to the Office action mailed May 18, 2007. Currently, claims 13 and 23-25 are pending. Applicants have amended Figure 1 and amended claim 23. Applicants respectfully request reconsideration of claims 13, and 23-25.

I. Summary of the Examiner's Objections

The drawings are objected to because the text in Fig. 1 is illegible.

Claims 23-25 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 23-25 were rejected under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps.

II. Summary of the Amendments

Applicant has amended Figure 1, and amended claim 23.

III. Examiner Interview

Applicant and the Examiner engaged in a telephone interview on May 11, 2007. During the interview, the Examiner and Applicant discussed the patentability of claim 23 with respect to a step comprising code and whether the claim contained there was a missing step. Applicant agreed to amend the claim to remove a particular reference to code in claim 23 but did not reach an agreement with Examiner regarding a missing step in claim 23.

Applicant and the Examiner engaged in a second telephone interview on August 13, 2007. During the interview, the Examiner and Applicant discussed the patentability of claim 23 with respect to Examiner's rejection that the claim is missing a step. Applicant and Examiner did not reach an agreement regarding the missing step rejection in claim 23.

Applicant thanks the Examiner for the interviews.

IV. Priority

The Examiner indicated that the prior-filed application, Application no. 60/398,924 (“the provisional application”), fails to provide adequate support or enablement in the manner provided by 35 USC 112, first paragraph, for one or more claims of the present application. The Examiner does not specify which claims he asserts are not enabled, but notes that there are “at least six more pages in the non-provisional application than in the provisional application” and requests a showing of support for the claimed invention in the provisional application to traverse the finding.

Applicant respectfully points out that the provisional application was filed without claims or an abstract. The non-provisional application includes 8 pages comprised of claims and an abstract that were not in the provisional application. The claims and abstract pages account for the difference in pages between the non-provisional application and provisional application. The provisional application also did not contain Figure 2B of the non-provisional application and corresponding paragraphs [0043] and [0045]. Other than these differences and some corrected typographical mistakes, there are no differences to Applicant’s knowledge between the specifications of the provisional and non-provisional applications.

Because the non-provisional application includes eight pages of claims and an abstract which were not in the provisional application and Examiner’s assertion of lack of support appears to be based on “six or more pages” in the non-provisional application not included in the provisional application, Applicant respectfully submits that this issue is now moot. If Examiner still requests a showing of support of one or more claims that the Examiner asserts are not supported in the provisional application, Applicant requests the Examiner specifically point out what claims he asserts are not supported.

V. Objection to the Drawings

The Examiner objected to Figure 1, indicating that the text in the Figure is illegible. Applicant has amended Figure 1 to clarify the text in the drawing. An amended sheet containing Figure 1 and labeled as “REPLACEMENT SHEET” is included herewith. Applicant respectfully submits that the objection to the drawings has been overcome and is now moot.

VI. Rejection under 35 U.S.C. § 112, Second Paragraph

Claims 23-25 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner indicated that the phrase “wherein said step of finding a door gap comprises code for” and “comparing the first and second crossings” should be changed.

Applicant has amended claim 23 such that the phrases now read, “wherein said step of finding a door gap includes” and “comparing the first and second crossing edges.” Applicant respectfully submits that these rejections are now moot.

Claims 23-25 were further rejected under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. In particular, the Examiner indicated that there was no nexus between “comparing the first and second crossing edges” and “finding a door gap.”

Applicant has amended claim 23 such that it now reads, in part:

wherein the step of finding a door gap includes performing the sub-steps of:

selecting a first group of contact points and a second group of contact points,

following an outside edge of a first group of contact points until it reaches an edge that crosses between the groups,

following the outside edge of the second group of contact points until it reaches a second edge that crosses between the groups, and

comparing the first crossing edge to a first previous edge and the second crossing edge to a second previous edge to determine if the difference is greater than a threshold and associated with a gap.

Examiner indicated in the interview on August 13, 2007, that claim 23 was missing an essential step because it did not recite criteria for the comparison element. Applicant respectfully submits that the elements cited in claim 23 before the amendment made in this Response did not omit any essential matter. The amendment made herein is strictly to expedite prosecution of claims which Examiner had indicated contained allowable subject matter in the Office Action dated October 6, 2006. Amended claim 23 now indicates that the first crossing edge and a second edge are compared to corresponding previous edges to determine if the difference is greater than a threshold

criteria and associated with a gap. Applicants submit that amended claim 23 now recites criteria as requested by the Examiner and that these rejections are now moot.

VII. Conclusion

Based on the above amendments and these remarks, reconsideration of Claims 13 and 23-25 is respectfully requested.

The Examiner's prompt attention to this matter is greatly appreciated. Should further questions remain, the Examiner is invited to contact the undersigned attorney by telephone.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 501826 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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